

REMARKS

With entry of the foregoing amendments, claims 1-16 are presented for favorable consideration.

Claim 1 has been amended to further confirm its distinctions from the prior art. No calcination is required in the subject invention, as confirmed by the Summary of Invention on page 8 of the application, Detailed Description of Invention on pages 9-10, and the Examples on pages 11-15. Claim 1 has also been amended to confirm that the adsorbent has adsorbence up to 850mm HG, as supported by Figures 1-4 of the application as well as the Examples. As discussed further below, the cited prior art requires the use of clays and organic binders, calcination, and does not disclose an adsorbent having adsorbence up to 850mm Hg.

New claims 9-16 have also been added to further confirm of the inventive features of the Applicants' invention, i.e., where the process consists essentially of certain steps but do not include the use of clays and organic binders, calcination, or the other steps required by the prior art.

No new matter has been added by the claim amendments.

Claims 1-8 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. Applicants respectfully traverse this rejection.

As one skilled in the art can fully appreciate, the application is quite clear that the inventive process does not include the use of clays and organic binders, the adsorbent does not contain any lithium, potassium and calcium ions, and does not involve calcination. As one skilled in the art can understand and appreciate from a reading of the application, the inventive process as described in detail in the Summary of Invention on page 8, the Detailed Description of Invention on pages 9-10, and the Examples on pages 11-15, do not involve the use of clays and

organic binders, the adsorbent does not contain any lithium, potassium and calcium ions, and the process does not utilize calcination. These features are properly listed in claim 1, and are also appropriately set forth in new claims 9-16. No new search is required by the claim amendments and new claims because these claimed features were present in the claims previously submitted.

Stated another way, a reading of the application's section entitled "Detailed Description of the Invention" makes it clear that the adsorbent does not contain clay, i.e., the zeolite is used in powder or pellet form without mixing with clay or any other organic binder. In fact, the description of the method of practicing the invention renders the absence of clays and binders implicit therein. Similarly, the absence of lithium, potassium or calcium ions is also implicit to those reading the disclosure, including those skilled in the art, i.e., the adsorbent only contains cerium, europium and gadolinium. The Applicants' disclosure clearly teaches this, and the claims properly state this feature.

Accordingly, Applicants respectfully request the withdrawal of the Section 112, rejection.

Claims 1-8 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by Choudary. Applicants respectfully traverse this rejection in view of the foregoing claims and the following facts.

The claimed invention (claims 1-8 and claims 9-16) does not contain any lithium, potassium or calcium ions. Moreover, the claimed invention does not involve the use of calcinations, and it results in an adsorbent having an adsorbence up to 850mm HG. These features are not disclosed in the cited reference. In this regard, the subject invention discloses adsorbence up to 850mm HG compared to the cited reference that only teaches adsorption up to the Henry's region. With respect to calcinations that are not utilized in the subject process, the calcination step in the cited reference has a significant impact on the properties of zeolites - -

often leading to unpredictable results. A search of the USPTO database reveals several granted patents where the improvement resides only in the number of times the calcinations is affected. The Applicants of the subject invention have discovered a novel process that does not utilize calcination and that results in successful adsorbence up to 850mm HG.

Furthermore, Choudary specifically indicates that its zeolite is mixed with clays and/or binders. See, for example, column 4, lines 44 and 58-60 as well as lines 14-15. In addition, column 5 of Choudary also emphasizes that clays and binders are required. Similarly, Choudary requires that cerium is used in mixture with lithium or calcium. See, for example, column 4, lines 29-39. Even Choudary's Example 5, the example referred to in the Office Action, refers to a zeolite powder, prepared by a method described earlier. There is no teaching to one of skilled in the art that this earlier method is that of Example 1. Even so, both the methods of Examples 1 and 2 and the remaining description stipulate that clay is required. In contrast, the claimed invention does not require and does not utilize clay and organic binders and does not use any lithium, potassium or calcium ions (claim 8).

In view of the foregoing claims and remarks, Applicants request the withdrawal of the anticipation rejection.

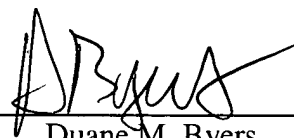
Applicants submit that this application is condition for allowance. A notice to that effect is earnestly solicited.

If the Examiner has any questions concerning this case, the undersigned may be contacted at 703-816-4009.

JASRA et al
Appl. No. 10/693,643
May 22, 2006

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Duane M. Byers
Reg. No. 33,363

DMB:glf
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100